

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/724,191	MACHINO ET AL.	
	Examiner Yves Dalencourt	Art Unit 2157	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 09/28/2005.
2.  The allowed claim(s) is/are 21-22 and 24-34.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

This office action is responsive to amendment filed on 09/28/2005.

### ***Response to Amendment***

The examiner has acknowledged Applicant's arguments.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George N. Chacras on 12/23/05.

The application has been amended as follows: Please cancel claim 23, and insert it in claims 21 and 30 as described below:

**Delete “ and “ (claims 21 and 30, line 7; claim 24, line 19).**

**In claims 21, 30, line 8 and claim 24, line 20 after recipients, please insert “ and wherein the setting is selected from a group consisting of transmitting the message only to destinations identified in the prescribed area; transmitting the message to destinations identified in the prescribed area plus any additional destinations associated with the attributes; and transmitting the message only to the additional destinations associated with the attributes.**

***Allowable Subject Matter***

Claims 21 - 22, and 24 – 34 are allowed.

The following is an examiner's statement of reasons for allowance: As specifically claimed the art of record fail to teach, among other limitations, in combination, the steps of selecting attributes and a setting for association with the body of the message, the attributes and the setting for automatically determining a list of recipients of the message according to the registrant data in the prescribed area; sending the message to the list of recipients; and wherein the setting is selected from a group consisting of transmitting the message only to destinations identified in the prescribed area; transmitting the message to destinations identified in the prescribed area plus any additional destinations associated with the attributes; and transmitting the message only to the additional destinations associated with the attributes (claims 21 and 30).

Also, the art of record fail to teach among other limitations, in combination, a server comprising a processor, which is operative to detect destinations in a prescribed region of the electronic mail message; classify the plurality of registrants into a first group associated with the group name and a second group not associated with the group name; determine a list of recipients for the electronic mail message according to a rule associated with the setting, the rule being for determining whether the first and second groups receive the electronic mail message; transmitting the electronic mail message to the list of recipients; and wherein the setting is selected from a group consisting of transmitting the message only to destinations identified in the prescribed

area; transmitting the message to destinations identified in the prescribed area plus any additional destinations associated with the attributes; and transmitting the message only to the additional destinations associated with the attributes (claim 24).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt  
  
December 27, 2005